

REMARKS

I. Formal Matters

Applicant respectfully requests that the Examiner return, with the next correspondence, a signed and initialed copy of the PTO-Form 1499 submitted with the IDS filed on July 1, 2003.

II. Claims

Claims 1-11 are all the claims pending in the application.

A. Claims 1, 3, 5, 6, 10, and 11

Claims 1, 3, 5, 6, 10, and 11 stand rejected under 35 U.S.C. § 102(b) as allegedly anticipated by Amin, U.S. Patent No. 6,014, 559 ("Amin"). Applicant respectfully submits that Amin fails to disclose or suggest all of the claimed features.

With respect to claims 1, 3, 6, 10, and 11, and contrary to the assertion of the Examiner, Applicant respectfully submits that Amin fails to disclose or suggest at least:

units to store, when connection with said portable cellular phone is unable to be made, a voice message to be fed to said portable cellular phone and to provide, when connection with said portable cellular phone is able to be made, a notification that said voice message has been stored, to said cellular phone (claim 1, *see also* claims 3, 6, 10, and 11).

Amin is drawn to a method and system for delivering a voice mail notification indicating that a voice mail message is waiting for a subscriber to a voice mail system. More specifically, according to the system disclosed in Amin, if the subscriber is within the network at the time the voice mail message is recorded, the system sends a voice mail notification to the subscriber. If

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the subscriber is outside the network at the time the voice mail message is recorded, but is at home, the notification is sent to a private base station.

The above-mentioned limitations, as would be interpreted by one of ordinary skill in the art in view of the application disclosure, and without limitation, should be understood to explain that when a connection to a portable cellular phone is unable to be made a voice message intended for that portable cellular phone is stored, and then, at a later time, when a connection to the portable cellular phone is able to be made, a notification is sent to the portable cellular phone that the voice message has been stored while the portable cellular phone was without connection to the system. There is no disclosure or suggestion in Amin of sending the notification directly to the portable cellular phone if a connection is unable to be made with the portable cellular phone at the time that the voice message is recorded.

The Examiner suggests that the system of Amin, according to which, if the subscriber is within the network, the voice mail notification is sent to the subscriber, and if the subscriber is out of the network, but at home, the notification is sent to the private base station, is similar to the recited features set forth above. However, as described above, following the system of Amin, the voice mail notification is only sent to the subscriber if the subscriber is within the network at the time the voice mail message is received. Amin does not disclose or suggest the above-mentioned limitation recited in claims 1, 3, 6, 10, and 11.

For at least the above exemplary reasons, Applicant respectfully submits that Amin does not disclose or suggest all of the limitations of claims 1, 3, 6, 10, and 11. The Examiner is

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therefore respectfully requested to withdraw the §102(b) rejection from claims 1, 3, 6, 10, and 11. Consequently, claim 5 is patentable at least by virtue of its dependency on claim 1.

B. Claims 2, 4, and 7-9

Claims 2, 4, and 7-9 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Amin in view of Brilla, U.S. Patent No. 6,389,276 ("Brilla"). Applicant respectfully submits that the proposed combination fails to teach or suggest all of the claimed features.

With respect to claims 2, 4, and 7-9, and contrary to the assertion of the Examiner, Applicant respectfully submits that the combination of Amin and Brilla fails to teach or suggest at least:

units to store, when connection with said portable cellular phone is unable to be made, a voice message to be fed to said portable cellular phone and to provide, when connection with said portable cellular phone is able to be made, a notification that said voice message has been stored, to said cellular phone (claim 1).

and

a switching process of transmitting, when connection with said portable cellular phone is unable to be made, said voice message storing device and of sending out, when connection with said portable cellular phone is able to be made, a voice message arrival notifying signal informing that said voice message has been stored... (claim 7).

Applicant's argument with respect to Amin is presented above with reference to claim 1. This argument similarly applies to claims 2 and 4, dependent on claim 1, and to claim 7, and 8 and 9, dependent on claim 7. Further, Applicant respectfully submits that there is no teaching or suggestion in Brilla with respect to the above-mentioned limitations.

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Brilla is drawn to a system for remote notification of new voicemail messages stored in a landline-based voicemail system. More specifically, the system disclosed in Brilla enables a landline-based voicemail system to send a notification request to a wireless network when the subscriber to the landline-based voicemail system receives a voicemail message. Following the system of Brilla, the notification request is sent to the destination address of the voicemail subscriber only if the voicemail subscriber is within the wireless network at the time the initial voicemail message is recorded. Brilla does not teach or disclose sending a notification to a portable cellular phone when a later connection with the portable cellular phone is able to be made.

Further, following the system of Brilla, the voicemail message is stored within the landline-based voicemail system, and not within the wireless system, as in the presently claimed invention.

For at least the above exemplary reasons, Applicant respectfully submits that a reasonable combination of Amin and Brilla, if any, does not render obvious the invention as set out in claims 2, 4, and 7-9. Applicant also respectfully submits that claims 2-4 are further patentable at least by virtue of their dependency on independent claim 1, discussed above. The Examiner is therefore respectfully requested to withdraw the §103(a) rejection from independent claims 2, 4, and 7-9.

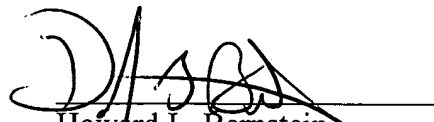
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III. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


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CUSTOMER NUMBER

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